

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Council Members

FROM/PHONE: Cheryl Dolin, Project Manager, Capital Projects, (954)797-1191

SUBJECT: Ordinance
Project Name and Location:
Oakes Road Fire Rescue Station, 4491 Oakes Road, Davie, FL 33314

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A UTILITY EASEMENTS FOR BELL SOUTH FOR THE "OAKES ROAD FIRE RESCUE STATION" PROJECT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town vacated a portion of the Oakes Road right-of-way for the construction of the Oakes Road Fire Rescue Station. At the time of the vacation, the Town agreed that if any of the utility companies needed an easement for their existing utilities that one would be granted. Bell South has some existing conduits in the vacated right-of-way that they would like to have protected now that the property is going to be developed. This 12' easement will enable the existing Bell South conduits to remain where they are currently located.

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT:

Has request been budgeted? N/A

If yes, expected cost: N/A

Account Name: N/A

If no, amount needed: N/A

What account will funds be appropriated from: N/A

Additional Comments: None

RECOMMENDATION(S): Motion to Approve Ordinance

Attachment(s): Ordinance
Sketch and Legal Description of Proposed Easements-
(Exhibit "A")

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A UTILITY EASEMENTS FOR BELL SOUTH FOR THE "OAKES ROAD FIRE RESCUE STATION" PROJECT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Bell South is in need of a utility easement from the Town of Davie for the construction, operation, and maintenance of telephone and data services for the new Oakes Road Fire Rescue Station; and

WHEREAS, in furtherance thereof, the Town of Davie desires to grant said utility easements to Bell South.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby authorizes the appropriate Town officials to execute a utility easement, a copy of which are attached hereto as Exhibit "A" .

SECTION 2. This section, subsection, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2005.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2005.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005.

Exhibit "A"

DESCRIPTION OF 12 FOOT BELL SOUTH EASEMENT:

A PORTION OF THE RIGHT-OF-WAY AND TRACT 3, OF SECTION 25, NEWMANS SURVEY, ACCORDING TO PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE EASTERLY SOUTHEAST CORNER OF PARCEL 'A' OF THE "Y.A.F. PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 125, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 51°51'38" WEST, ALONG THE SOUTH LINE OF SAID PARCEL 'A', A DISTANCE OF 16.68 FEET; THENCE SOUTH 15°02'00" WEST, A DISTANCE OF 71.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 15°02'00" WEST, A DISTANCE OF 12.50 FEET; THENCE SOUTH 88°41'49" WEST, A DISTANCE OF 172.98 FEET; THENCE NORTH 14°51'13" EAST, A DISTANCE OF 12.49 FEET; THENCE NORTH 88°41'49" EAST, A DISTANCE OF 173.02 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

NOTE: BEARINGS SHOWN HEREON ARE BASED ON SAID Y.A.F. PLAT, THE NORTH BOUNDARY OF PARCEL 'A' BEARS SOUTH 75°09'43" EAST.

CERTIFICATE:

WE HEREBY CERTIFY THAT THIS DESCRIPTION AND SKETCH CONFORMS TO CHAPTER 61G17-6 (FLORIDA ADMINISTRATIVE CODE), MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL LAND SURVEYORS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION LB271
THIS SKETCH IS NOT VALID WITHOUT THE
SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND
MAPPER.

DOUGLAS M. DAVIE
PROFESSIONAL SURVEYOR AND MAPPER NO. 4343
STATE OF FLORIDA

NOV 30 2004

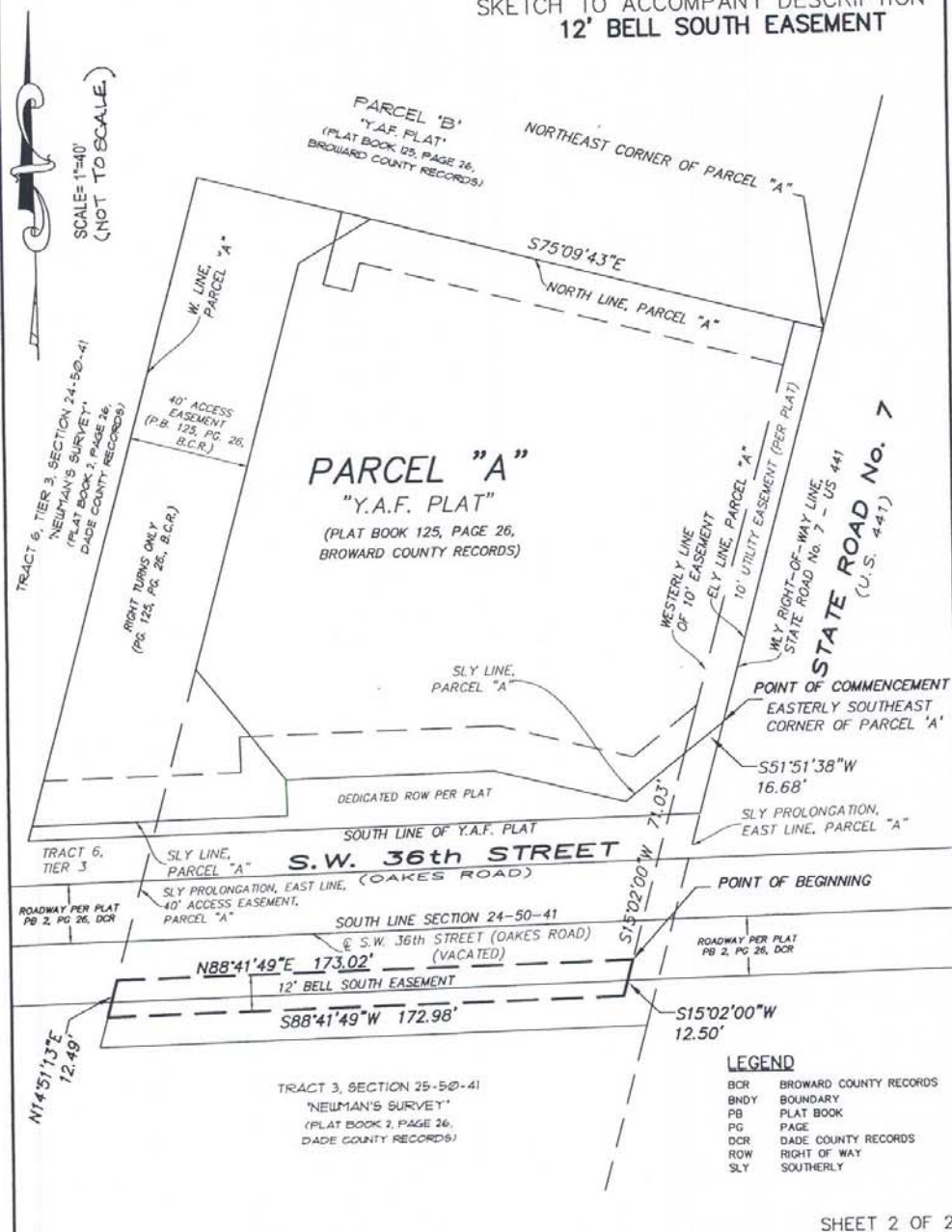
THIS SKETCH IS NOT VALID WITHOUT THE
SIGNATURE AND THE ORIGINAL SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.



NOTE: THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

of the information shown hereon.

SKETCH TO ACCOMPANY DESCRIPTION
12' BELL SOUTH EASEMENT



UPDATES and/or REVISIONS	DATE	BY	CK'D	NOTE
				The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification.
				NOTE Lands shown hereon were not abstracted for right-of-way and/or easements of record. G:\2004\040001\ESMTS.dwg
JOB NO.	04-0001	DRAWN BY:	SAR/DM	CHECKED BY: DMD F.B. N/A PG. N/A DATED: 11/29/04